

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

STEVE CUNNINGHAM,

Plaintiff,

v.

**PORTFOLIO RECOVERY
ASSOCIATES, LLC,**

Defendant.

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CASE NO. 6:12-cv-00742-MHS

STIPULATION OF DISMISSAL

COMES NOW, Plaintiff, Steve Cunningham, and Defendant, Portfolio Recovery Associates, LLC, and file this Stipulation of Dismissal under Federal Rule of Civil Procedure 41(a)(1)(ii) as follows:

1. On or about October 5, 2012, Plaintiff sued Defendant, Portfolio Recovery Associates, LLC, for alleged violations of the Fair Debt Collection Practices Act (FDCPA) and the Texas Debt Collection Practices Act (TDCPA), and Texas Business and Commerce Code (DTPA).

2. Plaintiff agreed to dismiss all claims and/or causes of action arising out of the incident made basis of this case against Defendant and both parties agreed that a Judgment or Order of Dismissal would be entered in this suit, dismissing all and any claims and/or causes of actions with prejudice.

3. Plaintiff moves to dismiss the suit against Defendant and all related causes of action arising out of the facts of this case.

4. Defendants who have answered this lawsuit agree to the dismissal.

5. This case has not been certified as a class action and no receiver has been

appointed.

6. Plaintiff has not dismissed an action based on or including the same claims as those presented in this suit.

This dismissal is with prejudice.

BUSH & RAMIREZ, LLC

//s// Keith Wier

Keith Wier; SBN: 21436100

Fed. ID No. 7930

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Houston, Texas 77005

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**ATTORNEY FOR DEFENDANT
PORTFOLIO RECOVERY ASSOCIATES, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of December, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Sharon K. Campbell
3100 Monticello Ave., Suite 500
Dallas, TX 75205

//s// Keith Wier

Keith Wier

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ORDER FOR DISMISSAL WITH PREJUDICE

On this day came to be considered the Stipulation of Dismissal filed by Plaintiff, Steve

Cunningham (“Plaintiff”), and Defendant, Portfolio Recovery Associates, LLC (“Defendant”).

The Court is of the opinion that said motion is *well* taken that it should be, and is hereby,
GRANTED.

It is, therefore, ORDERED, ADJUDGED, and DECREED that all of Plaintiff’s claims and causes of action that were, or could have been asserted against Defendant are hereby dismissed with prejudice. Furthermore, all costs shall be borne by the party incurring the same.

SIGNED on this the _____ day of _____, 2012.

JUDGE PRESIDING

APPROVED AND ENTRY REQUESTED:

BUSH & RAMIREZ, LLC

//s// Keith Wier

Keith Wier; SBN: 21436100

Fed. I.D. 7930

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**ATTORNEYS FOR DEFENDANT,
PORTFOLIO RECOVERY ASSOCIATES, LLC**

/s/ Sharon K. Campbell

Sharon K. Campbell

3100 Monticello Ave., Suite 500

Dallas, TX 75205

**ATTORNEY FOR PLAINTIFF,
STEVE CUNNINGHAM**